

# PINE WATER SUMMARY OF EVENTS ORIGINAL

OPEN MEETING AGENDA ITEM  
W-03512A-07-0362

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Rim Country Water

2008 DEC 17 A 9:44

## \* History / Background

AZ CORP COMMISSION  
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See below: History/Background on RCW, Pine/Strawberry Water Issues (with historical chronology), K2 Concerns, Private Well Owners Lawsuit, K2 Hearing in Pine and K2 Interveners Hearing at the ACC

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### Rim Country Water IS

- comprised of individual citizens in Pine & Strawberry;
- not developers;
- not a "special interest" group - unless one considers our interest in our community as "special interest;"
- property owners, business owners and citizens who are concerned about the K-2 Agreement, water shortages, outages, hauling charges, water supply, utility service and the water delivery system infrastructure;
- a group that is dedicated to getting more water for Pine/Strawberry but NOT via a flawed, costly "Agreement;"
- not opposed to the K-2 Well; however, we do oppose the methods by which the Agreement was constructed, executed; and we question the constitutionality of Funding the K-2 Well with taxpayer funds (Note: The ACC has recently directed BUI to prepare a brief addressing this use of funds.)

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The K-2 Agreement, along with hauling charges in Pine, prompted most of us to action. We wanted to find out more about the "Agreement" and other utility service issues. The more we researched, the more we became concerned. We wanted to provide FACTS and source documents (legal documents, ACC Testimony, etc), rather than just our opinions, to the property owners in Pine and Strawberry.

Citizens of Pine/Strawberry began bringing their water issues/concerns to our attention. We also did research at the Arizona Corporation Commission (ACC), ADEQ, ADWR and Gila County.

At first, we attempted to communicate with the PSWID via their board meetings. However, at the very first meeting we attended, the public asked questions and made comments to the Board; however, the Board abruptly terminated that meeting (turned off the lights) and then subsequently invoked a very strict meeting protocol (not answering any questions until a subsequent meeting - if then). The Board clearly demonstrated an unwillingness to hear the public concerns/questions. This abuse of the public trust and refusal to respond to public questions and comments has continued.

### Water Problems/Issues

Pine and Strawberry have experienced water "problem" for many years. Brooke Utilities has had a monopoly (CCN granted by the Arizona Corporation Commission) for twelve years. The water supply has not been addressed and the infrastructure has had relatively little improvement. Pine has had a moratorium on development since the early "90's." Pine has also had excessive hauling charges for years with imposed water restrictions (stages). As of January 2008, Strawberry now has imposed water restrictions (Conservation Stages 1 - 5) with resulting penalties for violations.

Per BUI and the ACC staff, there just wasn't enough water in Pine and Strawberry to alleviate the hauling charges and the moratorium. However, some very successful wells

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have been drilled (the Strawberry Hollow Well, Solitude Trails and most recently the Milk Ranch Well) by individual well owners.

BUI was instructed by the ACC to find a solution to the water problem. The Pine/Strawberry Water Improvement District (PSWID) was formed with the mission to "find water." Hydrology studies were conducted, with recommendations and evaluations. However only two members of the PSWID were allowed to see the full reports until just recently. They voted for the K-2 without all of the information. Two PSWID Board members "summarized" the reports and board action (voting for the K-2) resulted. Two Board members have since stated they would have voted differently had they had the full reports. (Watch for more information to be posted soon on this.)

**A historical chronology of the water problems in Pine/Strawberry appears below:**

**1970-1995:** Arizona Corporation Commission ("ACC") regulated numerous water utility companies owned by E & R Water, United Utilities, and Williamson Water Works, etc. Infrastructure was very old in many areas and poorly constructed of various types and minimal quality of materials. Wells were in shallow aquifers (generally 200'-400' depth) and only produced modest volumes of water (30-35 gpm at best). Many private wells had been drilled over the prior 10-50 years. Service from the utilities was generally poor, water outages regularly occurred, some wells dried up or lost productivity, and infrastructure problems began to occur. Many complaints were filed against the various utility companies in the mid-90's.

**Early 1990's:** Water company management and the Arizona Department of Water Resources ("ADWR") constantly concluded there was an "inadequate water supply" in the Rim Country, although the new water districts (authorized by Gila County) that had been formed by various new communities were able to find more than adequate long-run resources (Portals I, II, and III, and Solitude Trails in mid-90's). Various moratoria on new water meters and main extensions were placed on the all of Pine not served by the water improvement districts (all directly abut the Pine Water Co. service area). Wells located in the Portals' communities became part of the Pine system allowing developers to get out of the water business.

**Early-mid, 1996:** Unpaid property taxes, excessive complaints, and a desire of the ACC to try to solve the problems (some were water supply problems, and others were operational problems) led to the ACC looking for other operators to hold the Certificates of Convenience and Necessity ("CC&N"), the monopoly licenses granted by the ACC.

**August, 1996:** Brooke Utilities was formed by its parent company (Jaco Oil Co. of Bakersfield California) to take over numerous water companies in the Rim Country and throughout Arizona. They were expected to be the "white knights" with adequate capital to take over operations and fix the many problems. Brooke paid unpaid tax liens and acquired numerous firms, including the operations in the Pine and Strawberry communities. Ultimately, Brooke acquired operations in Geronimo Estates, Whispering Pines, Mesa del Caballo, East Verde Park, Flowing Springs, Star Valley, Mead Ranch, Deer Creek, Tonto Basin, Parker, Apache Junction, etc.

**August 1996:** In response to citizen concerns of inadequate service by Brooke Utilities' predecessors, Pine/Strawberry Water Improvement District (PSWID) was approved by the Gila County Board of Supervisors to attempt to locate additional water resources for their communities.

**Mid-late 1996:** Solitude Trails signed a water sharing/water wheeling agreement with the Brooke operations to transport water from Solitude's two wells (both located within

the CC&N and not in Solitude Trails), with all excess water available to Pine Water Co. Brooke runs the two wells, with Solitude generally providing 14%-22% of all water that was used by Pine Water Co customers for the next 6-8 years.

**Late 1996 -1999:** Brooke reorganized its acquisitions into several regulated subsidiaries including Pine Water Company, Strawberry Water Company, Payson Water Co (not the Payson municipal system), etc. Brooke Utilities remained an unregulated holding company (not subject to ACC authority) that employed all staff, that owned all service equipment, and that provided all operational controls, planning, financing, etc. for its regulated subsidiary companies. Brooke upgraded some facilities and tried to correct some of the operational problems and they developed several water sharing agreements with private well owners that were good for five year periods. One well in Strawberry would ultimately produce 15%-20% or more of the water used in Pine for the next 10 years, and two others within Pine would produce 4%-7% each of the water delivered by Pine Water Co.

**1999-2000:** The Northern Gila County Water Plan Alliance was formed by Gila County, Arizona State Land, Arizona Department of Water Resources, and several others to determine if a deep aquifer existed below Pine or Strawberry. The 1890' deep 4" exploratory bore hole in Strawberry had significant water at about 1,400 feet, providing comfort that a deep aquifer probably existed. The borehole later collapsed and is used today as a monitoring well for the deep aquifer.

**2000:** Brooke, in its role as a project manager for Pine Water Co. constructed the Magnolia pipeline from Strawberry to Pine with the main purpose being the ability to ship water from Strawberry wells to Pine where shortages and use restrictions were most severe.

**February 2001:** Brooke completed the Magnolia pipeline, placed it on the books of the unregulated Brooke Utilities, and charged its regulated subsidiary firm (Pine Water) for use of the pipeline. Prices charged for the first 23 months were \$15.00/1,000 gallons, while testified costs were only \$2.20/1,000. Later, after rate hearings in 2003-2004, the title to the pipeline was returned to Pine Water Co., its rightful owner, and the \$267,000 of excessive charges (about 1/2 of the \$533,000 total) for use of the pipeline were adjusted out.

**2002-2003:** Strawberry Hollow Domestic Water Improvement District's formation was approved by the Gila County Board of Supervisors after the successful drilling of a 1,320 deep well in north Pine that had significant water at about 908'. Strawberry Hollow DWID and the Board of Supervisors were sued by Pine Water Co. for taking away potential customers and for approving a new district within an established CC&N. During the trial in a Superior Court outside Gila County, the case was settled for less than \$7,000, allowing the District to be outside the Pine Water Co CC&N that was unable to provide service. The case established the concept that the Board of Supervisors could approve formations of Districts in areas where the regulated water supplier was unable or unwilling to provide service, and it established that if the CC&N holder could not provide service, a domestic district should be allowed to serve its own needs if it had adequate water available.

**Early 2003:** Because of the continuing problems with the Brooke operations in Pine and Strawberry, the PSWID Board and the Board of Gila County Industrial Development Authority agreed to equally split the \$10,000 costs of a study to determine approximate values of the assets of Pine and Strawberry water companies, since acquisition of the assets was an alternative the PSWID Board was considering to possibly solve the problems of inadequate service. The study, completed by Economists.com concluded

the values might be about \$3.0-\$4.3 million prior to any due diligence efforts that would need to be conducted to possibly reflect poor infrastructure, poor water resource development, needed repairs, additional storage, etc.

In addition to the acquisition study by Economist.com, the PSWID also commissioned Morrison-Maierle of Montana to do a \$100,000 study of the geology and hydrology conditions to find the best location in the District for a well that might yield the maximum production from the deep aquifer. It was determined about a year later that the best location was in northwest Strawberry on private land. Included with the study operations was the purchase and development of an approximate \$25,000 computer and software system for development of a wells inventory and monitoring system. The recommended Morrison-Maierle site turned out to be a site where costs of an attaching pipeline to connect to the Magnolia line were so excessive that it made use of that site and connections uneconomical.

**Mid-2003:** Pine Water Co. filed an application with the ACC to raise basic rates approximately 41% and to impose a \$10 charge per meter for three years for exploration of new water sources (total rate increase of 76%). Rate hearings were scheduled and interested parties were invited to intervene. (Note: See results in "October 2003-December 2004")

**June 2003:** The \$600,000 Mogollon Rim Water Resources Management Study, a joint venture of the Bureau of Reclamation (\$300,000), Gila County (\$150,000), and the Town of Payson (\$150,000) was started to find regional solutions to water problems in the Rim Country, with early emphasis on the Pine-Strawberry area where problems seemed the worst. A technical committee of water experts and stakeholders was formed to do the research, with participation from the three voting partners, Salt River Project, Tonto National Forest, Arizona Department of Water Resources, with invitations to participate issued to PSWID, Brooke Utilities, Tonto Apache Tribe, U.S. Geological Survey, Payson Regional Economic Development Corporation, and other local water districts.

**August 2003:** Five of the seven PSWID Board members resigned due to a variety of reasons. Because of quorum of members could not be assembled, by state law the County Board of Supervisors was required to either appoint five board members or to step in and act as the District Board themselves. Because of the high turnover of Board members over the years, the discontent in the community, and the lack of progress of the Board over its first seven years the Board of Supervisors decided to step in themselves and they appointed the County Manager as the Administrator of the District, and they engaged Harry Jones to carry out day-to-day activities of the District.

**September, 2003:** Because the Pine Water Company situation had not improved enough over the years to be able to provide adequate water service to about 2,000 customers in the Pine Water Co. CC&N, the Board of Supervisors requested the Administrator of PSWID to consider intervening in the recently filed rate case requesting 76% increases in fees. Upon investigation of the rate case filing documents and the annual reports submitted to the ACC, significant differences in data were discovered and the Board decided to directly participate in order to protect the District members (basically the same group as the rate-payers) from excessive fees and future continued poor service.

**October 2003-December 2004:** For 15 months, the County Manager as the Administrator, Mr. Jones, and the legal counsel represented the PSWID and its citizens at the ACC rate hearings. By use of data requests, analysis of direct testimony, etc. the parties ultimately reached a settlement agreement with Pine Water Co and the ACC Staff that settled the matter by (a) allowing only an 11.8% rate increase, (b) ordering Brooke Utilities to return ownership of the \$449,000 pipeline from the unregulated parent

company to the subsidiary company, its rightful owner, (c) requiring Pine Water Co. to make additional system repairs to reduce its water losses to less than 10% (after claiming losses of only 6.7% and under the settlement admitting losses of at least 12.3%), and (d) requiring Pine Water Co to exempt \$267,000 of the \$533,000 intercompany payable to Brooke from future rate increase applications (the payable resulted from "rent" of the pipeline from the parent company over 23 months at 6.8 times actual costs of \$34,000 /year). The 2003 rate case remains open five years later for possible consideration of several continuing issues, and it allows the ACC to continue to monitor the progress of the water losses, the required study, and other case issues that are not yet solved.

**2004-2005-2006:** In an effort to continue building inside the Town of Payson, a builder had to bring new water to the Town. Terra Capital (Michael Horton et. al.), a developer in Payson went to Star Valley and acquired property and drilled a relatively deep, highly productive well that was later abandoned to a monitoring well status because he could not get proper easements for a pipeline into Payson. The developer moved about 1/4 mile away and arranged to have a second well drilled that ultimately tested at 530 gpm. Planned shipment of the water from the community of Star Valley by a newly installed pipeline to Payson resulted in the incorporation of the new Town of Star Valley, formed to protect its water resources. The town of Payson ultimately traded 1000 water credits (for what amounts to access to 1,000 building permits to be issued at a later date) for ownership of the first 400 gpm from the well, and the Town of Payson ultimately paid \$750,000 for ownership of the last 130 gpm. This situation again illustrated the availability of additional water at deeper depths in the Rim Country.

**January 2005:** A citizen-elected Board of the PSWID took office and formed a Water Development Committee ("WDC") and immediately withdrew as interveners in the Pine Water Co. rate case that remains open in early 2008, almost five years later. This withdrawal of intervention left the citizens and property owners of the PSWID without direct representation in continuing issues of that case.

The WDC ultimately developed 8 alternative solutions called JB1-JB8 that mostly related to drilling for water in Strawberry to serve Pine. None of the alternatives ever came to fruition, but it did prompt Pine Water Co to propose use of the K2 site as a possible place to drill (no land purchase required).

**2005:** The Mogollon Rim Study continued to progress with the demand study elements and the field geological elements being the main emphasis. Strawberry Hollow was continuing with the extensive testing required to apply for 100-year adequacy for its water sources. Testing and application consulting was completed by Michael Ploughe (independent water consultant and Hydrogeologist for the Town of Payson).

**May 2005:** Since no solutions to the water service problems had come to light over about six months, the ACC issued Decision #67823 which ordered the company to limit itself to only two only connections per month, and to have the company "commence an analysis and discussion with all affected entities and stakeholders, including Staff, ADEQ, ADWR, SRP, Payson, PSWID and Gila County.

**November 2005:** Brooke delivered a 500-page Water supply Alternatives Report to the ACC. The report was accepted and basically concluded the expansion of well sharing agreements was the best alternative, with 13 of 21 alternatives ranked as very poor, including the deep wells in Strawberry as all being unaffordable. The ACC Staff analysis of the report was duly criticized as being poorly done, with the peer review by Michael Ploughe and Gila County being completely ignored. Other after-the-fact peer reviews and discussions as required by ACC Decision # 67823 were not done prior to

submission of the report. The report included about 200 pages of the 100-year adequacy application of Strawberry Hollow.

**January 2006:** Strawberry Hollow subdivision in north Pine was granted a 100-year water adequacy designation, only the second one in Gila County. The application indicated the adequacy was to be based on the upfront offer of the District to make 40% of all water available to other water providers in the Pine community. Negotiations between Strawberry Hollow and Brooke Utilities to acquire that water went on for over one year with no agreement reached.

**May 2006:** Since no solutions to the problems were put in place by Pine Water Co., the ACC carried out its alternative short-term solution to protect the current water users, by reducing the moratorium on new meters to zero.

**2005-2006:** Michael Ploughe, hydrology consultant, managed the selection of drilling location, type of drilling process, and testing of a new well known as the Milk Ranch well located within the southern end of the Pine Water Co CC&N, and in within less than 300 feet of a Pine Water Co system main. The 1,050' well tested over a seven-day period to 150 gpm with static water at about 650 feet, with water having chemical characteristics very similar to the Strawberry Hollow well in north Pine. The Milk Ranch well again confirmed the existence of the Redwall/Martin limestone geology (the water bearing deep formation) also identified in the Strawberry borehole five years earlier, and in the Strawberry Hollow well three years earlier.

**2005-May 2006:** Milk Ranch LLC (Pugel/Randall families) was denied water service by Pine Water Co due to the continuing moratoriums on meters and main extensions within their CC&N. The Pugel's and Randall's filed a lawsuit in 2006 requesting to have their five acres removed from the monopoly controlled CC&N, so that they could develop their own property without being subject to the water outages, use restrictions, hauling charges, and poor service from Pine Water Co. The lawsuit is ongoing into early 2008, with the complainants having been joined in the actions by three other landowners with similar denials of service wanting to be removed from the CC&N so they might be allowed to form new districts and sell their own water within their own properties, with possible opportunities for sale of excess water to the CC&N holder for the Pine community.

**2006-2007:** The Mogollon Rim Water Resources Management Study continued to progress in terms of alternative evaluations, completion of technical details, geological mapping, and coordination of all technical conclusions.

Water hearings related the Pine Water Co. and Payson Water Co. continued at the ACC. The Whispering Pines Fire Department station in Geronimo Estates (about seven miles from Pine and the next community east under the Rim) was, after 18 months of applications and hearings, finally granted a meter in the Brooke controlled community that has been under a full moratorium for 27 years. The ACC also ordered the Company to hook up another eight meters since it was determined that the company was under-utilizing existing water sources. In early 2008, the 252-lot community (only about 83 meters with 50 houses hauling water) is still under the full moratorium for main extensions and meters. Two more dockets (formal complaint actions) are currently open on the matter of the 27-year-old moratorium. Geronimo residents are supporting Pine resident efforts against Brooke, and vice-versa.

**May-September 2007:** Hauling charges amounting to over \$200,000 (about 25% of total company revenues) were imposed on rate-payers throughout the summer, with hauling charges of \$62-\$68/1,000 gallons incurred, compared to \$.50-\$1.00/1,000

normally incurred for water purchased from water sharing wells. A massive public outcry occurred resulting in several hundred residents attending ACC hearings and public comment sessions in Phoenix and Pine.

**May 2007:** After more than a year of negotiations, PSWID and Pine Water Co signed a Joint Well Development Agreement whereby the District agreed to loan Pine Water Co \$300,000 to help fund a deep exploratory well at the K2 site owned by Strawberry Water Co. The loan is designed to take away the risk of drilling from Pine Water Co; however it is being questioned as to its legality under the Arizona Constitution, which specifically restricts public funds from being loaned to a public service corporation. Also, the project is being questioned by many based on why drill in Strawberry when the successful new deep wells are located in Pine where the water is needed. Many Strawberry customers of Brooke highly objected to the taking of "their" water for use in Pine.

**June, 2007–January, 2008:** After approval of the K2 contract by the PSWID Board, several citizens formed an educational and advocacy group called Rim Country Water ("RCW") to attempt to educate the rate payers, land owners, and tax payers as to what is going on between Pine Water and the PSWID, and how their tax dollars were being spent. Because the RCW group believes the K2 contract is heavily biased toward Pine Water Co., the discord between RCW and the PSWID has grown to the point that four of the seven PSWID Board members will face a recall election in March 2008.

Because public service corporations need to seek ACC approval to borrow funds or to encumber their assets, Pine Water Co has requested ACC approval of the debt (called an investment by the company, but a debt by the ACC Staff) and the issuance of a lien on the K2 site. The application for approval is still awaiting more hearings early in 2008. Two of the founders of the RCW group have intervened in the ACC docket related to the K2 project, hoping to convince the Commissioners that the use of public funds for this purpose is unwise, illegal, and not in the best interest of the property owners and citizens of Pine. Since the ACC has no authority over the PSWID, they will not rule on any aspects as to appropriateness of District decisions or actions.

The RCW group is also proposing the acquisition of the assets of Pine Water Co. and Strawberry Water Co., so that a new Domestic Water Improvement District can be formed to operate the water systems in the two communities, putting the citizens in control of their own destiny.

**December 2007:** The ACC held a special public comment session in Pine related to allowance of debt and liens on property, issues that may effect the required approvals for the K2 project. Also, they held a hearing in Phoenix to cover the same issues, during which interveners were allowed to participate. The breadth of the hearings and testimony was very wide (to the dismay of Chairman Gleason), thereby allowing all related topics (poor service, hauling charges, moratoria, etc.) to be introduced.

**January 2008:** Two days of hearings occurred related to the various parties withdrawing from the CC&N. On January 10, ATM Corporation, owner of improvements (streets, sewers, etc.) that have been sitting for about 20 years, settled their lawsuit with Pine Water. ATM has been trying to build the last 43 condos for about 12 years. They were able to build the first 14 in the late 80's when meters were available. They reported to the ACC that they signed the settlement agreement, and purportedly paid Pine Water Co. \$50,000 (some have called this extortion) to be released from the CC&N so they can acquire water from Strawberry Hollow to complete their project. The exact terms of the settlement are confidential at the insistence of Pine Water.

In addition, on the same day, Brent Weeks, owner of 35 acres in south Pine reached a similar settlement (not yet documented at that time); also agreeing to a cash payment to Brooke so the property can be developed. Weekes indicated to the other complainants at the ACC that their suit will be dropped for a cash payment to Brooke and a wheeling agreement to have Pine Water Co transport water from the Weekes well in Strawberry to the undeveloped Weekes property in south Pine. Week has also agreed to pay the line extension charge as part of the settlement, which was allowed under ACC rulings that allow new meters if you bring new water. The Weeks water to support this project is from a well in Strawberry that Pine Water Co. had used for years without paying for it (about two months earlier in the hearings, the Judge determined that if the water had been used without paying for it, Pine Water Co. must do so, so Weekes indicated he had been paid over \$11,000).

On January 11, 2008, Steve Olea, the Assistant Utility Director of the ACC, indicated in testimony that the ACC generally accepts at "face value" any documents filed by Pine Water Co. Lack of staff time was indicated to be the reason because they have some 350 water companies to monitor.

During January 2008, Strawberry Water Co customers were placed under the same water use restrictions program and penalties as the Pine Water Co customers (administered separately); however no water hauling re-imburement plan is yet being sought.

Late January 2008: Another unnamed consumer advocacy group became very active in support of the K2 project, the PSWID Board, and Brooke Utilities. One individual, Sam S. claims on the website to be the developer of the site, the funding source for the site, and the one who controls everything that appears. Others apparently supporting this site are unnamed, but are consistently referring others to this site as a source of "accurate" information.

On January 30, 2008 the District and Pine Water Co, despite heavy public objection, agreed to escrow instructions to allow for funding of the \$300,000 K2 escrow prior to the required ACC approval. The escrow instructions stipulate that the provision in the K2 agreement dated 5-1-07 requiring the pre-approval of the ACC were being waived. To justify proceeding without the required approval of the ACC, the District and Pine Water agreed to have the required lien on the K2 site executed and given to the District, but not recorded by the District until the approval is received. As part of the same meeting, PSWID has also contracted up to \$22,000 of public funds to engage a consultant to help them with well design, drilling specifications, and technical monitoring of the K2 project.

\*Exact dates and amounts are not available in all cases due to lack of availability of all final documents.

K-2 - Joint Well Development Agreement between Pine Water Company and Pine-Strawberry Water Improvement District  
The K-2 Agreement was signed May 1, 2007 between the PSWID and Pine Water Company (a subsidiary of Brooke Utilities)

Initial concerns with the "Agreement:"

- Numerous flaws (legal description issues, easement issues, an ambiguous provision

for water for Strawberry, etc.)

- Numerous ways for BUJ to get out of the contract at the cost of taxpayers. Taxpayer money (\$300,000) would be used to pay for the test well.
- Water storage tanks were sold to the chief negotiator for the K-2 (who is now a Board Member) - with water storage facilities desperately needed.

#### Private Well Owners and their Lawsuit

RCW was made aware of a group of private well owners who had filed a lawsuit in 2006 against Pine Water Company (owned by Brooke Utilities) --with administrative hearings before the Arizona Corporation Commission. We attended many of those hearings and gathered valuable information (via Testimony).

(Testimony of these hearings will be added next week)

#### ACC Hearing in Pine

Per the ACC, after "public comments" in the Private Well Owners lawsuit at the ACC, many emails and letters, the ACC decided to schedule a public hearing in Pine on December 4, 2007. Commissioner Mayes stated later in the K2, "Intervener" Hearings that there was a "huge" turnout, even though Mr. Hardcastle downplayed the response. (Testimony of these hearings will be added next week)

#### Rim Country Water Interveners on the K-2

This was an action taken by Rim Country Water members, Fred Krafczyk and Mike Greer to present information to the Arizona Corporation Commission regarding the K-2 and the application for an encumbrance of part of its plant and system and evidence of indebtedness in the matter of Pine Water Company

A number of inconsistencies with Mr. Hardcastle (President of Brooke Utilities) were made public. (Testimony of these hearings will be added soon)